

Message Text

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INFO USUN NEW YORK 4164

UNCLAS SECTION 1 OF 2 GENEVA 1101

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TAGS: SHUM UN
SUBJ: 33RD SESSION HUMAN RIGHTS COMM: AD HOC COMM ON
PERIODIC REPORTS - FREEDOM OF INFORMATION: RESOLUTIONS

REF: GENEVA 864

FOLLOWING IS TEXT OF DRAFT RESOLUTIONS ADOPTED BY AD HOC
COMMITTEE ON PERIODIC REPORTS, WHICH WERE DISCUSSED IN REFTEL:

QUOTE
VI. DRAFT RESOLUTIONS RECOMMENDED FOR ADOPTION BY THE
COMMISSION ON HUMAN RIGHTS

35. THE AD HOC COMMITTEE ON PERIODIC REPORTS ON HUMAN RIGHTS
RECOMMENDS TO THE COMMISSION ON HUMAN RIGHTS THE ADOPTION OF THE
FOLLOWING DRAFT RESOLUTIONS:

I

THE COMMISSION ON HUMAN RIGHTS,
RECOMMENDS THAT THE ECONOMIC AND SOCIAL COUNCIL ADOPT THE
FOLLOWING DRAFT RESOLUTION:
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"THE ECONOMIC AND SOCIAL COUNCIL,
"RECALLING ITS RESOLUTION 1074 C (XXXIX) OF 28 JULY 1965
CONCERNING PERIODIC REPORTS ON HUMAN RIGHTS AND REPORTS ON
FREEDOM OF INFORMATION,
"BEARING IN MIND ITS RESOLUTION 1596 (L) OF 21 MAY 1971,

"RECALLING ALSO ITS RESOLUTION 1988 (LX) OF 11 MAY 1976,
"RECALLING ALSO ITS RESOLUTION 1793 (LIV) OF 18 MAY 1973,
"BELIEVING THAT IT IS ONLY THROUGH THE TIMELY SUBMISSION OF
CONCISE REPORTS BY MEMBER STATES AND SPECIALIZED AGENCIES AND
OF OTHER OBJECTIVE INFORMATION WHICH MAY BE SUBMITTED IN
ACCORDANCE WITH ECONOMIC AND SOCIAL COUNCIL RESOLUTION 888 B
(XXXIV) OF 24 JULY 1962 BY NON-GOVERNMENTAL ORGANIZATIONS IN
CONSULTATIVE STATUS THAT THE INTERNATIONAL COMMUNITY CAN
APPRECIATE BOTH THE PROGRESS ACHIEVED AND THE PROBLEMS STILL TO
BE OVERCOME IN THE FIELD OF THE FURTHER PROMOTION AND DEVELOPMENT
OF HUMAN RIGHTS,

"BELIEVING ALSO THAT THE VALUE OF THESE REPORTS RESTS ON THEIR
BEING SUBMITTED BY AS MANY STATES AS POSSIBLE,

1. DECIDES THAT MEMBER STATES SHALL BE ASKED IN FUTURE TO
SUBMIT PERIODIC REPORTS ONCE EVERY THREE YEARS IN A CONTINUING
CYCLE; THE FIRST REPORT, ON CIVIL AND POLITICAL RIGHTS AND
FREEDOM OF INFORMATION, TO BE SUBMITTED IN 1979, AND THE SECOND,
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, TO BE SUBMITTED IN 1982;

"2. FURTHER DECIDES THAT STATES PARTIES TO THE INTERNATIONAL
COVENANT ON CIVIL AND POLITICAL RIGHTS WHICH SUBMIT REPORTS
UNDER ARTICLE 40, PARAGRAPH 1, OF THAT COVENANT NEED NOT SUBMIT
REPORTS ON SIMILAR QUESTIONS UNDER THE REPORTING PROCEDURE
ESTABLISHED UNDER ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1074 C
(XXXIX) OF 28 JULY 1965;

"3. REQUESTS THE AD HOC COMMITTEE ON PERIODIC REPORTS AT ITS
NEXT SESSION TO CONSIDER THE DESIRABILITY OF THE CONTINUED
PUBLICATION OF THE YEARBOOK ON HUMAN RIGHTS;

"4. REAFFIRMS THE NECESSITY FOR ALL MEMBER STATES TO SUBMIT
REPORTS IN THE FUTURE;
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"5. INVITES MEMBER STATES, IN SUBMITTING THEIR PERIODIC REPORTS,
TO FOLLOW CLOSELY THE OUTLINE OF HEADINGS FOR REPORTS SENT TO
THEM BY THE SECRETARY-GENERAL AND TO PAY GREATER ATTENTION TO
THE GUIDELINES CONTAINED IN PARAGRAPH 1 OF COMMISSION ON HUMAN
RIGHTS RESOLUTION 16 B (XXIII), WHICH WAS ADOPTED ON 22 MARCH
1967;

"6. CONSIDERS IN PARTICULAR THAT THE ASSESSMENT OF PROGRESS
AND PROBLEMS IN THE PROMOTION AND PROTECTION OF HUMAN RIGHTS
BY THE COMMISSION ON HUMAN RIGHTS AND ITS AD HOC COMMITTEE ON
PERIODIC REPORTS ON HUMAN RIGHTS CAN BE OF PRACTICAL VALUE TO
THE EXTENT THAT GOVERNMENTS ALSO INCLUDE IN THEIR REPORTS
DETAILED INFORMATION ON LEGISLATIVE AND OTHER MEASURES TAKEN
WITH THE AIM OF OVERCOMING SPECIFIC DIFFICULTIES ENCOUNTERED."

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ACTION IO-13

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

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II

THE COMMISSION ON HUMAN RIGHTS,

HAVING CONSIDERED, WITH THE ASSISTANCE OF ITS AD HOC COMMITTEE
ON PERIODIC REPORTS ON HUMAN RIGHTS, THE REPORTS ON FREEDOM OF
INFORMATION FOR THE PERIOD 1 JULY 1970 TO 3 JUNE 1975 RECEIVED
FROM STATES MEMBERS OF THE UNITED NATIONS OR MEMBERS OF SPECIAL-
IZED AGENCIES AND FROM SPECIALIZED AGENCIES, AS WELL AS
INFORMATION RECEIVED FROM NON-GOVERNMENTAL ORGANIZATIONS IN
CONSULTATIVE STATUS, IN ACCORDANCE WITH ECONOMIC AND SOCIAL
COUNCIL RESOLUTION 1074 C (XXXIX) OF 28 JULY 1965 (E/CN.4/1214
AND ADD. 1, ADD.1/CORR.1 AND ADD. 2-19, E/CN.4/1215 AND ADD.
1-2, ADD.2/CORR.1 AND ADD.3),

NOTING WITH APPRECIATION THE ANALYTICAL SUMMARY (E/CN.4/1224)
PREPARED BY THE SECRETARY-GENERAL,
STRESSING THE IMPORTANCE OF ARTICLE 19 OF THE UNIVERSAL DECLARATION
OF HUMAN RIGHTS, ARTICLE 19 OF THE INTERNATIONAL COVENANT ON CIVIL
AND POLITICAL RIGHTS AND THE DECISIONS OF UNITED NATIONS BODIES
RELATING TO FREEDOM OF INFORMATION,

1. CONSIDERS THAT REPORTS RECEIVED FROM MEMBER STATES OF THE
UNITED NATIONS OR MEMBERS OF SPECIALIZED AGENCIES, FROM SPECIALIZED
AGENCIES AND FROM NON-GOVERNMENTAL ORGANIZATIONS FOR THE PERIOD 1
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JULY 1970 TO 30 JUNE 1975 REVEAL THE FOLLOWING:

(A) SIGNIFICANT DEVELOPMENTS IN THE FIELD OF FREEDOM OF INFORMATION
THROUGH THE ENACTMENT OF NEW LEGISLATION, THE ESTABLISHMENT OF NEW
STATE ORGANS AND ADHERENCE TO INTERNATIONAL AGREEMENTS OF CO-
OPERATION FOR THE EXCHANGE OF INFORMATION;

(B) THE GROWING ROLE OF MASS MEDIA AS AN INSTRUMENT FOR THE PROMOTION OF THE ECONOMIC, SOCIAL AND CULTURAL POLICIES OF STATES;
C) THE SIGNING OR RATIFICATION BY MANY STATES, OF INTERNATIONAL AGREEMENTS OR CONVENTIONS FOR CO-OPERATION IN THE USE OF NEW TECHNICAL MEANS IN THE FIELD OF INFORMATION, AND NOTICEABLE PROGRESS AT THE TECHNICAL LEVEL, WITH A RESULTING INCREASE IN THE VOLUME OF INFORMATION GATHERED AND DISSEMINATED BY THE MASS MEDIA;
(D) THE POSITIVE INFLUENCE OF UNITED NATIONS DECISIONS ON LEGISLATION ENACTED DURING THE PERIOD;
(E) ADDITIONS IN THE NATIONAL LEGISLATION ENACTED BY SEVERAL STATES TO BETTER PROTECT THE INDIVIDUAL AND HIS PRIVACY AGAINST MISUSE OF THE FREEDOM OF INFORMATION;
(F) THAT LIMITATIONS IN THE EXERCISE OF FREEDOM OF INFORMATION ARE PROVIDED FOR, BY THE RESPECTIVE CONSTITUTIONS AND RELEVANT LEGISLATION OF REPORTING STATES, TO LIMIT THIS FREEDOM IN THE INTEREST OF PUBLIC ORDER OR IN SITUATIONS OF NATIONAL EMERGENCY;
(G) THAT THE RAISING OF THE LEVEL OF PUBLIC EDUCATION IS AN EFFECTIVE METHOD TO PROMOTE THE RIGHT TO FREEDOM OF INFORMATION;

2. REGRETS THAT A NUMBER OF STATES HAVE STILL NOT SUBMITTED REPORTS ON FREEDOM OF INFORMATION;
3. DEPLORES THE ABSENCE OF REPORTS ON FREEDOM OF INFORMATION IN SOME TERRITORIES STILL UNDER COLONIAL RULE;
4. WELCOMES THE DECISION TAKEN BY THE NINETEENTH GENERAL CONFERENCE OF THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION; HELD AT NAIROBI, FROM 26 OCTOBER TO 30 NOVEMBER 1976, TO ENDORSE THE NONALIGNED PRESS AGENCIES POOL, AS A MEANS OF PROVIDING DEVELOPING COUNTRIES WITH ALTERNATIVE SOURCES OF INFORMATION;

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5. RECOGNIZES THAT INFORMATION THROUGH THE MASS MEDIA IS A POWERFUL MEANS OF INVOLVING VARIOUS SECTORS OF SOCIETY IN THE PROCESS OF ECONOMIC AND SOCIAL DEVELOPMENT;
6. REQUESTS STATES MEMBERS OF THE UNITED NATIONS OR MEMBERS OF SPECIALIZED AGENCIES, SPECIALIZED AGENCIES AND NON-GOVERNMENTAL ORGANIZATIONS, IN PREPARING THEIR REPORTS:
 - (A) TO ADHERE AS CLOSELY AS POSSIBLE TO THE "OUTLINE OF HEADINGS" SENT OUT BY THE SECRETARY-GENERAL IN ACCORDANCE WITH COMMISSION RESOLUTION 16 B (XXIII);
 - (B) TO SUBMIT REPORTS OF A REASONABLE LENGTH, INCLUDING ONLY WHERE NECESSARY EXCERPTS FROM LEGAL DOCUMENTS AND, WHEREVER POSSIBLE, PUTTING THEM IN APPENDICES TO THEIR REPORTS;
 - (C) TO PAY INCREASED ATTENTION TO THE FULL REALIZATION OF THE RIGHT TO FREEDOM OF INFORMATION WHICH IMPLIES NOT ONLY THE WAY INFORMATION IS IMPARTED TO THE POPULATION BUT ALSO THE WAY IN WHICH ALL THOSE PERSONS RESIDING TEMPORARILY OR PERMANENTLY IN THE

TERRITORY CAN HAVE ACCESS TO INFORMATION;
(D) TO PROVIDE DATA ON THE QUALITY, AS WELL AS THE QUANTITY, OF
THE INFORMATION BEING DISSEMINATED;

7. RECOMMENDS

(A) THAT THE ISSUANCE OF THE SUBJECT AND COUNTRY INDEX, PREPARED
UNDER ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1074 C (XXIX), BE
DISCONTINUED;
(B) THAT THE AD HOC COMMITTEE ON PERIODIC REPORTS SHOULD, AT ITS
NEXT SESSION, REVIEW THE APPROPRIATENESS OF THE PRESENT REQUIRE-
MENT, UNDER ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1074 C (XXXIX),
TO ISSUE THE DOCUMENT ENTITLED "STATUS OF MULTILATERAL TREATIES
IN THE FIELD OF HUMAN RIGHTS CONCLUDED UNDER UNITED NATIONS
AUSPICES";
(C) THAT GOVERNMENTS, SPECIALIZED AGENCIES AND NON-GOVERNMENTAL
ORGANIZATIONS, SHOULD OBSERVE THE TIME-LIMITS SUGGESTED BY THE
SECRETARY-GENERAL; AND THAT NON-GOVERNMENTAL ORGANIZATIONS IN PART-
ICULAR SHOULD ENSURE THAT THEIR REPORTS CONTAIN INFORMATION AS
RECENT AND AS UP TO DATE AS POSSIBLE;
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(D) THAT SPECIALIZED AGENCIES AND ALSO THE NON-GOVERNMENTAL
ORGANIZATIONS IN CONSULTATIVE STATUS, WHOSE CONTRIBUTIONS ARE VERY
USEFUL, SHOULD AS FAR AS POSSIBLE, IN THE INTEREST OF ECONOMY,
REPORT ONLY ON AREAS DIRECTLY RELATED TO THEIR FIELD OF CONCERN.

VII. ADOPTION OF THE REPORT

36. AT ITS 86TH MEETING, ON 4 FEBRUARY 1977, THE AD HOC COMMITTEE
ON PERIODIC REPORTS ON HUMAN RIGHTS CONSIDERED THE DRAFT REPORT ON
THE WORK OF ITS 1977 SESSION AND ADOPTED IT, AS ORALLY AMENDED,
WITHOUT A VOTE. UNQUOTE.CATTO

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Message Attributes

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